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EXAMINER

CHEN, TIANJIE

ART UNIT

PAPER NUMBER

2627

DATE MAILED: 05/12/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

# Office Action Summary

Application No.

10/622,609

Applicant(s)

NAKATA, EIJI

Examiner

Tianjie Chen

Art Unit

2656

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

## Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

## Status

- 1) ☒ Responsive to communication(s) filed on 02 March 2006.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

## Disposition of Claims

- 4) ☒ Claim(s) 1-10 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☒ Claim(s) 1 is/are allowed.
- 6) ☒ Claim(s) 2 and 8 is/are rejected.
- 7) ☒ Claim(s) 3-7,9 and 10 is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

## Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

## Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some \* c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.

## Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)  
Paper No(s)/Mail Date \_\_\_\_\_
- 4) ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date. \_\_\_\_\_
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: \_\_\_\_\_

## ***Non-Final Rejection***

### ***Election/Restrictions***

1. Applicant's election without traverse of Species I with claims 1-6 in the reply filed on 03/02/2006 is acknowledged. However, Applicant's election is not proper and claims 8-10 should be elected. Furthermore allowable subject matter is found in claim 6; therefore, dependent claim 7 will be considered. Finally, all claims will be considered below.

### ***Claim Rejections - 35 USC § 103***

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which the subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

2. Claims 2 and 8 are rejected under 35 U.S.C. 103(a) as being unpatentable over Ho (US 6,061,232) in view of Takahashi (JP 09-063395A).

Claim 2, Ho shows a disc drive apparatus in Fig. 1 for reading information from or writing information onto a prescribed disc, including: a changeover switch 14 provided on a front face portion and used for altering settings between a master and a slave in working of a disc drive body (Column 2, lines 21-23); but does not show a lock mechanism preventing manipulation of the changeover switch in an on state.

Takahashi shows a lock mechanism 210 preventing manipulation of a changeover switch 10 in an on state (Fig. 3, and SOLUTION section and [0016]); and teaches that as the lock mechanism is used, a power source can be prevented from being cutoff when the electric equipment is actuated (SOLUTION section). One of

Art Unit: 2656

ordinary skill in the art would have been motivated to add the lock mechanism taught by Takahashi into Ho's device to prevent the mismanage of the changeover switch 14.

Claim 8, in above constructed device, the lock mechanism prevents displacement of the body of the changeover switch when the changeover switch is changed over.

***Allowable Subject Matter***

3. Claim 1 is allowed.

Claims 3-7, 9, and 10 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

- Claim 1, as the closest reference on record, the combination of Ho (US 6,061,232) and Takahashi (JP 09-63395A) shows a disc drive apparatus for reading information from or writing information onto a prescribed disc, including: a changeover switch, provided on a front face portion, and used for altering settings between a master and a slave in working of a disc drive body, a cover provided so as to cover the changeover switch; **but fail to show** a lock mechanism for locking the cover, wherein the lock mechanism includes: a pair of electromagnets arranged so as to face each other; an opening formed in the cover; and a protrusion disposed on one of the pair of electromagnets at a location where it is inserted through the opening by the action of the pair of electromagnets in at on state while, in an off state, being disposed at a location where it is not inserted through the opening by the action of the pair of electromagnets.

Art Unit: 2656

- Claim 3, as the closest reference on record, the combination of Ho (US 6,061,232) and Takahashi (JP 09-63395A) shows disc drive apparatus having changeover switch and lock mechanism including: a cover provided so as to cover the changeover switch in an on state, **but fails to show** an opening/closing check section preventing the cover from opening in an on state.
- Claim 3, as the closest reference on record, the combination of Ho (US 6,061,232) and Takahashi (JP 09-63395A) shows disc drive apparatus having changeover switch and lock mechanism including; **but fails to show** that the changeover switch and the lock mechanism are assembled into one unit.
- Applicant asserts: an object of the present invention to provide a disc drive apparatus capable of not only performing changeover between settings of a master and a slave in working thereof with ease, but also immediately confirming a set status of a disc drive apparatus between a master and a slave in working thereof (Specification p. 3).

***Conclusion***

4. The prior art made of record in PTO-892 Form and not relied upon is considered pertinent to applicant's disclosure.

***Examiner's Note***

5. Examiner has found that "lock mechanism" has been recited in claims 1 and 2, respectively with different definition. This kind practice is not encouraged.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Tianjie Chen whose telephone number is 571-272-7570. The examiner can normally be reached on 8:00-4:30, Mon-Fri.

Art Unit: 2656

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Hoa Nguyen can be reached on 571-272-7579. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

  
**TIANJIE CHEN**  
**PRIMARY EXAMINER**